

THE L.A.B. PROJECT  
FINAL REPORT



# The Final Report on the L.A.B. Project

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## **1 BASIC INFORMATION ABOUT THE PROJECT**

### **1.1 Project name**

L.A.B. of A.N.O. (The Legal Advice Bureau of the Association of Non-Governmental Organisations)

### **1.2 Address, phone, e-mail, web page:**

L.A.B. of A.N.O. (Právní poradna A.N.O.)  
Letenská 17  
118 00 Prague 1

Telephone 257 53 35 01

Fax: 257 53 38 02

E-mail: [ppano@asociace.org](mailto:ppano@asociace.org)

http: [www.asociace.org](http://www.asociace.org)

### **1.3 Project manager**

Ms Hana Gajdošíková (mgr.), attorney at law

### **1.4 Project period**

The L.A.B. of A.N.O. (hereinafter the “**L.A.B.**”) launched its activities on 1 April 2002 based on the financial grant from the Open Society Fund Praha. The funds were granted based on a Grant Application for International Development: Legal Support on Drugs-Related Issues Project (LSDRI Project). The Association of Non-Governmental Organisations (hereinafter the “**A.N.O.**”) as the applicant intends to foster legal consulting services in this area also in future. The Open Society Fund Praha provided the funds to establish and secure the operation of the L.A.B. in the period from 1 April 2002 to 31 March 2003, based on contract number 148 19/1 – 2002 dated 19 March 2002.

### **1.5 Targeted groups**

- Drug users and ex-drug users in the care of treatment facilities: (therapeutic communities, after-treatment programmes, psychiatric treatment facilities, short-stay facilities, and low-threshold facilities)
- Employees of treatment and other services facilities and other professionals
- Experimenting youth (Cannabis Cases)
- Relatives of drug users and relatives of experimenting youth

### **1.6 Basic services**

Assistance and consultations in the following areas: criminal law, civil law, family law, and labour law issues related to non-alcoholic drugs. Such assistance and consultations are provided in person, by phone, via e-mail, web pages, and will also include direct representation of clients in criminal proceedings, drafting legal documents, communication with state and local authorities and courts.

### **1.7 Staffing and organisation**

The activities of the L.A.B. are currently undertaken by one lawyer, one social manager, and the A.N.O. office director.

## **2 PROJECT ORGANISER**

### **2.1 Name**

A.N.O. (the Association of Non-Governmental Organisations engaged in treatment and prevention of drug addictions)

### **2.2 Status**

Association of legal entities

### **2.3 Registered office**

Karolíny Světlé 18, 110 00 Prague 1  
L.A.B. office (Pracoviště PP A.N.O)  
Letenská 17  
118 00 Prague 1, the Czech Republic

### **2.4 Registration**

Registered on 11 May 1995 with the Municipal Office for Prague 1 under registration number 62/95

### **2.5 Statutory representative**

Mr Jiří Richter (mgr.)

## **3 SCOPE AND PROGRESS between 1 April 2002 and 28 March 2003**

The L.A.B. was established and attached to the A.N.O. in April 2002. As a model office, the L.A.B. set out the following main objectives:

- To broaden the legal awareness of general as well as specific drug-use related problems encountered with the targeted groups.
- To offer legal advice to the marginalized public.
- In the long run, to build a network of legal assistants/representatives (regional co-workers/offices).
- To offer legal advice on drug-related issues to:
  - drug users and ex-drug users,
  - experimenting youth,
  - employees of treatment facilities providing services to drug addicts and other professionals,
  - relatives of drug users and experimenting youth.

### **3.1 Activities or any changes in activities during the year:**

The L.A.B. has performed its activities since 1 April 2002 as outlined in the schedule below.

#### **3.1.1 Schedule**

##### **April 2002**

- Putting the L.A.B. office into operation (material, technology, staff).
- Establishing contacts with treatment and other services facilities (address directory).
- Distributing promotion material.

- Performing presentations on the central administration level to the Governmental Council for Drug-Related Issues.
- Entering into co-operation with the Probation and Intermediary Services of the Czech republic.
- Setting up a working group to co-operate with the representatives of treatment facilities, identifying current needs in the area of legal advice, drafting a schedule and scope of training seminars.
- Establishing first contacts and providing first legal advice.

#### **May 2002**

- Providing legal advice to treatment facilities in person, by e-mail, and by phone.
- Collecting data for web pages.
- Presenting the assistance and related services to the expert public.
- Setting up a working group to co-operate with the representatives of treatment facilities and to collect background materials for a publication entitled *Guide for Legal Issues in the Illicit Drugs Area*
- Evaluating individual L.A.B. activities.

#### **June 2002**

- Providing legal advice to drug users via treatment facilities and Sananim's web pages.
- Representing clients in criminal proceedings.
- Preparing, organising, and providing training seminars for the employees of treatment facilities entitled *Legal Problems of Drug Users in Relation to Prevention and Treatment of Drug Addictions*.
- Meeting with the representatives of state and local authorities (anti-drug co-ordinators and the National Drug Commission), entering into an agreement on co-operation.
- Organising interactive seminars with the employees of treatment facilities.
- Collecting background materials for a publication entitled *Guide for Legal Issues in the Illicit Drugs Area*.
- Evaluating individual L.A.B. activities.

#### **July 2002**

- Providing legal advice to treatment facilities in person, by e-mail, and by phone.
- Providing legal advice to drug users via treatment facilities and Sananim's web pages.
- Representing clients in criminal proceedings.
- Meeting with the representatives of state and local authorities (anti-drug co-ordinators and the National Drug Commission), entering into an agreement on co-operation.
- Drafting a paper addressing the following issues: insurance against damage to third persons (clients under treatment), entering into an agreement on services with clients within therapeutic communities.
- Evaluating individual L.A.B. activities.

#### **August 2002**

- Providing legal advice to treatment facilities in person, by e-mail, and by phone.
- Representing clients in criminal proceedings.
- Preparing training seminars for the employees of treatment facilities.
- Preparing promotion materials.
- Collecting background materials for a publication entitled the *Guide for Legal Issues in the Illicit Drugs Area*.
- Evaluating individual L.A.B. activities.

#### **September 2002**

- Providing legal advice to treatment facilities in person, by e-mail, and by phone.

- Representing clients in criminal proceedings.
- Following up on contacts with treatment facilities, up-dating the directory of such facilities.
- Preparing background materials for a publication entitled *Guide for Legal Issues in the Illicit Drugs Area*.
- Distributing promotion materials.
- Evaluating individual L.A.B. activities externally, by the A.N.O. Board and chairs of expert sections.
- Drafting a progress report on L.A.B. activities.

#### **October 2002**

- Providing legal advice to treatment facilities in person, by e-mail, and by phone.
- Representing clients in criminal proceedings.
- Preparing web pages.
- Distributing promotion materials.
- Preparing and performing educational seminars for the employees of treatment facilities and state administration bodies
- Evaluating individual L.A.B. activities.

#### **November 2002**

- Providing legal advice to treatment facilities in person, by e-mail, and by phone.
- Representing clients in criminal proceedings.
- Making the web pages operational.
- Providing legal assistance through treatment facilities and through the web pages.
- Processing background materials for a publication entitled *Guide for Legal Issues in the Illicit Drugs Area*.
- Evaluating individual L.A.B. activities.

#### **December 2002**

- Providing legal advice through the web pages.
- Providing legal advice to treatment facilities in person, by e-mail, and by phone.
- Representing clients in criminal and civil law proceedings.
- Organising a seminar for the employees of treatment facilities.
- Evaluating individual L.A.B. activities.

#### **January 2003**

- Providing legal advice through web pages.
- Providing legal advice to treatment facilities in person, by e-mail, and by phone.
- Representing clients in criminal and civil law proceedings.
- Organising a seminar for the employees of treatment facilities.
- Following up on contacts with treatment facilities, up-dating the directory of such facilities.
- Processing background materials for a publication entitled *Guide for Legal Issues in the Illicit Drugs Area*.
- Distributing promotion materials.
- Evaluating of individual L.A.B. activities.

#### **February 2003**

- Providing legal advice to treatment facilities in person, by e-mail, and by phone.
- Representing clients in criminal and civil law proceedings.
- Organising a seminar for the employees of treatment facilities.

- Processing background materials for a publication entitled *Guide for Legal Issues in the Illicit Drugs Area*.
- Evaluating individual L.A.B. activities.

### **March 2003**

- Providing legal advice to treatment facilities in person, by e-mail, and by phone.
- Representing clients in criminal and civil law proceedings.
- Organising a seminar for the employees of treatment facilities.
- Following up on contacts with treatment facilities, up-dating the directory of such facilities.
- Evaluating individual L.A.B. activities externally, by the A.N.O. Board and chairs of expert sections.

Drafting the Final L.A.B. Report and Final Report on Use of Funds

The core activities of L.A.B. today consist mainly of legal assistance and direct representation.

In first three months, most queries were handled by phone or via e-mail. Drug users asked for legal advice mainly through the employees of treatment facilities (engaged in prevention and treatment of drug addictions) from whom they learned about the new service and whom they use as “mediators”. Six months later, we received anonymous phone calls from drug users who called directly to the L.A.B. We have also received requests for legal advice from the Bohnice (Prague 9) Psychiatric Facility and the Motol Hospital (Prague 5). With the establishment of the assistance, the number of personal consultations to individuals has increased. There was a growing interest in direct legal representation before courts, in particular between September 2002 and February 2003. This confirms that these services are required less during the summer months when there are also fewer court proceedings. In December 2002, the number of telephone calls grew due to the use of web pages.

#### **3.1.2 Most frequent legal issues:**

- Criminal proceedings (mainly property-related crimes drug users commit to get money to buy drugs).
- Warrants of arrest in connection with a suspicion of crime.
- Petitions to postpone service of a sentence or to grant acquittal with regard to previous criminal record.
- Mothers drug users (restriction of parental rights due to drug addiction).
- Deprivation of drug users’ capacity to perform legal acts and orders to undergo compulsory protection treatment.
- Drug users as witnesses in criminal proceedings against drug dealers.
- Personal data protection of clients in treatment facilities.
- Pressure from police to enable entry to treatment facilities.
- Pill testing.
- Insurance of treatment facilities and therapeutic communities against damage to the health of third persons (drug users) as a result of a therapy, for example.
- Cannabis Cases.
- Postponement of punishment and conditional releases

In addition to individual legal consultations, we held four seminars, two in Brno in the premises of the association *Stretched out Hands*, four in Prague in the premises of the association Sananim, and two in Hradec Králové in the premises of the association Laxus. At the seminars, we presented the activities of the L.A.B. and provided training to the participants (the employees of treatment and prevention facilities) on the fundamentals of criminal, civil, and family laws, rights of policemen, personal data protection, criminal prosecution of drug users, and so on. Large sections of seminars were devoted to resolving actual legal problems that the participants encounter in every-day life.

The seminars were designed mainly to the employees from auxiliary professions. The seminars were attended by 130 social, contact, and field workers and, therapists, employees from social departments of individual municipal parts, anti-drug co-ordinators, personnel from orphanages and houses for the disturbed youth (diagnostic institutions), students from high schools and universities specifying in social and legal studies. The participants received the seminars very well and as a result the interest in consultations within the L.A.B. has increased.

### 3.1.3 Development and changes in the targeted population

At the present time, legal advice (assistance), consisting primarily of elementary consulting services to drug users, is provided by therapists who often acquire information through hard self-study, contacts with lawyers or workers of other facilities with similar experience. This method can be characterised more like the “first aid” service rather than professional legal assistance.

Consequently, information is often distorted. The above-mentioned employees are unable to provide real legal advice. Since the professional legal advice is expensive, it becomes inaccessible to clients or employees of treatment facilities.

The employees of treatment facilities are trained insufficiently, if at all, in criminal law and other areas of law related to the activities carried out and services provided by such facilities.

Based on the above, it can be said that drug users are unable to access the professional legal advice and that the employees of treatment facilities can access it with great difficulty. Therefore, the L.A.B. has decided to provide its services primarily to the employees of treatment facilities by means of seminars and training courses focused on criminal, civil, family, and labour laws.

At the same time we monitor the areas (entities) where we provide out legal assistance according to the Project. It appears that the largest group comprises the employees of treatment facilities – professionals who provide services to drug users and whom we provide seminars on request on fundamentals of criminal law, legal aspects of treatment and prevention of addictions, criminal proceedings, procedures and capacities of bodies engaged in criminal investigation. We have noted interest from among the employees of therapeutic communities and low threshold facilities.

The following groups have started using the L.A.B.:

- Drug users

This group includes problematic and addicted drug users as well as ex-drug users (after treatment) who are unable to deal with their drug carrier-related problems and decide to hire legal professionals. These clients are mainly contacted through social workers and therapists from treatment facilities. In resolving their cases, the L.A.B. co-operates with the employees of the Probation and Intermediary Services.

- Experimenting youth

This group includes individuals who have very little knowledge about the consequences of drug use (punishment by law) and about other areas of social life (problems at school, restrictions from teachers, problems with accommodation and problems at work places, and so on). Clients from this group contact the L.A.B. mainly anonymously by phone and through the web pages and enquire primarily about the growing and use of cannabis. In September 2002, after the L.A.B. established a relationship with the Cannabis Ombudsman, the users and growers of cannabis begun to contact the L.A.B. openly to receive consultation and help.

- Facilities providing services to drug addicts and other professionals

This group includes not only the management and staff of the treatment and prevention facilities but also other professionals dealing with drug-related issues, for instance, anti-drug co-ordinators, employees of individual municipal, district, and magistrate offices.

The specific and actual needs are continuously monitored, addressed, and evaluated.

## 4 EVALUATION AND RESULTS

### 4.1 Project evaluation

**Standards for evaluating success:**

- *Quantitative* (based on the number of contacts, cases, and consultations provided)
- *Qualitative* (subjective, based on the feed back from service recipients)

We regard a continuous evaluation to be the principal tool for monitoring the fulfilment of goals and objectives of the L.A.B. Project.

On the quantitative level, we record, in a structured manner, the number of instances we provided services. On the qualitative level, we use questionnaires to evaluate the satisfaction of the targeted groups.

#### 4.1.1 Quantitative:

- Overview of steps and services recorded in a structural manner.
- Measurable project objectives.

#### 4.1.2 Qualitative:

- Satisfaction of service recipients (targeted groups). Information obtained from questionnaires and interactive work groups with representatives of treatment facilities.
- External, independent evaluation by the A.N.O. Board and chairs of individual expert sections of the A.N.O.

## 4.2 Data

Since the L.A.B. began to provide legal advice in April 2002, we only mention data for the period from 1 April 2002 to 31 March 2003. In this short period, the L.A.B. has established relationships and has provided services within in the network of treatment facilities. The L.A.B. has been gathering data on time, contacts of persons, as well as facilities from where the clients come. We note the methods used to resolve the problems, number of cases when we have provided legal advice, number of clients, files and so on.

In respect of the legal assistance from October 2002 (for example legal consultation to clients or employees of treatment facilities, drafting petitions – actions, appeals, complaints, agreements on instalments, requests for the conditional release from prison, requests for postponement of the punishment and so on, representation in civil law proceedings, defence in criminal proceedings before police bodies and courts and so on), we have noted a considerable increase which shows that the L.A.B. services to drug users and ex-drug users have been established as part of the portfolio of services available to them.

<b>Legal assistance provided between April 2002 and February 2003</b>	
<b>Period</b>	<b>Frequency</b>
April 2002	2
May 2002	6
June 2002	14
July 2002	17
August 2002	4
September 2002	21
October 2002	44
November 2002	45
December 2002	38
January 2003	70
February 2003	73
March 2003	43
<b>TOTAL</b>	<b>377</b>

In respect of the number of clients given below it should be noted that they include only the clients who have received direct legal assistance in civil proceedings (for example, decisions on care and nutrition of minors, legal representation before court in respect of transfer of lease of flats and so on), or the client whom we defended in criminal proceedings (before police and court). These numbers also include clients who have not been directly represented in court proceedings. Nevertheless, the legal assistance provided to them was more complex (drafting

proposals and other filing with the court or state administration bodies). These numbers do not include one-off legal consultations to drug users, ex-drug users, or to the employees of treatment facilities.

Currently, the L.A.B. has recorded:

- 38 criminal cases (clients), out of which 29 cases are ongoing and 9 have been closed,
- 22 civil cases (clients), out of which 17 cases are ongoing and 7 have been closed,
- In total, there were 60 cases (clients), out of which 16 have been closed.

### 4.3 Critical evaluation of achievements

#### 4.3.1 Monitoring

Drug cases are being monitored by means of the service provided by the company Newton (whose primary line of business is media monitoring) and by Sananim: Drak (which provides monitoring services in the area of drug-related issues). It cannot be expected that the L.A.B. would be able to monitor all drug-related court cases by itself thoroughly and in a complex manner. Therefore, the experience and activities of the L.A.B. can be complimentary to the above-mentioned services.

#### 4.3.2 Direct legal representation of clients

In the initial stage of the L.A.B. Project, clients showed very little interest in direct representation before courts. The interest increased mainly in the autumn and winter months. In summer, drug users are less interested in this type of service and there are generally much fewer court proceedings. **Our predictions were confirmed** in September 2002 and as of this time, our services have been used by the clients of treatment facilities and after-treatment programmes.

#### 4.3.3 Experimenting youth (targeted group)

For the time being, drug users ask for legal consultations through the employees of treatment facilities who inform them about the new service. In first three months of its activities, the L.A.B. received no query from among the experimenting youth. As soon as the information about the L.A.B. became available through web pages, we began to receive first anonymous phone calls. Ever since we established co-operation with the Cannabis Ombudsman, the experimenting youth has begun using our advisory services, legal consultations and assistance, and has also shown an interest in direct legal advice.

#### 4.3.4 Co-operation with the network of treatment facilities

Given that no similar project has been carried out before and that the A.N.O. is currently the only umbrella organisation in the Czech Republic associating facilities providing services in all areas of care for drug users (in the field of primary, secondary, and tertiary prevention (harm reduction), treatment, ambulatory and subsequent care), we have been using the existing network of co-operating members of the A.N.O. (altogether 70 organisations/facilities). We have also entered into co-operation with state and local authorities and intend to establish a close co-operation with individual organisational units of our judicial system. We have established a contact with the Probation and Intermediary Services of the Czech Republic. So far, we have co-operated most closely with the expert Harm Reduction Section of the A.N.O. and the Therapeutic Communities Section of the A.N.O. As part of this co-operation, we have provided assistance in the field of law, training to employees of such facilities and sections, and assisted in unification of issues related to the operation of therapeutic communities (insurance of treatment facilities and therapeutic communities against damage to the health of the clients (drug users) against damage resulting from work activities and various types of therapies, contracts with clients willing to undergo treatment). With respect to these facts, the L.A.B. Project creates a complementary part of the range of the A.N.O.'s activities and is the most suitable alternative to be implemented in the body of services that are still missing in the Czech Republic.

References are provided to the A.N.O. Board on a regular basis.

## 5 CONCLUSIONS AND RECOMMENDATIONS

### 5.1 Plans for 2002

- *To continue in preventive, informational, and training activities focused on individual target groups, with the emphasis on the employees of treatment facilities providing services to drug users.*
- *To provide practical legal advice (consultancy, legal assistance, representation in criminal matters).*
- *To provide consulting services and assistance through the web pages ([www.asociace.org](http://www.asociace.org))*
- *To broaden the existing network of co-operating organisations.*
- *To co-operate with the Probation and Intermediary Services and the National Focal Point of the Czech Republic.*
- *To meet with the representatives of state and local authorities (anti-drug co-ordinators and the National Drug Commission), the Ministry of Justice of the Czech Republic, the Ministry of Interior of the Czech Republic, and the Ministry of Education, Youth, and Physical Education of the Czech Republic, and present the L.A.B. Project and activities to the representatives and agree on co-operation.*
- *To evaluate the activities on a regular basis.*
- *To collect background material on individual legal cases with the emphasis on criminal aspects and needs.*
- *To present the activities and results of the L.A.B. Project.*

### 5.2 Conclusions and recommendations based on previous experience

The results of the L.A.B.'s activities may significantly contribute to monitoring drug-related issues in the Czech Republic. All the above-mentioned information is being continuously processed and will be used in the publication *Guide for Legal Issues in the Illicit Drugs Area*. The publication should go to print in the third quarter of 2003.

By means of the National Focal Point and the L.A.B., non-governmental organisations will be able to participate in an active manner in the preparation of drug-related laws, because the National Focal Point is part of the Governmental Council for Drug-Related Issues Co-ordination, which is an expert advisory body of the Czech government for drug-related issues. We believe that the entering into co-operation with the National Focal Point is very significant.

Finally, we are able to state that the results of L.A.B.'s activities confirm our assumptions at the time we submitted the Project and that the introduction of this new service, namely drug-related legal assistance, is necessary indeed.

## 6 BUDGET

### Overall budget

	Funds from the OSF (USD)	Use of funds	Other sources
Staff	7248	7248	5232
Office equipment	3292	3292	444
Administration and office equipment	9952	9874,7	66
Other expenses	9084	9084	274
<b>(BUDGET IN TOTAL)</b>	<b>29576</b>	<b>29498,7</b>	<b>6016</b>

## 7 COMPLIMENTS

The L.A.B. was founded and operates with the financial support of the **Open Society Fund Praha**.

The publishing house **C. H. Beck** donated the professional literature needed for the L.A.B.'s operation.

**ASPI Publishing s.r.o.** provided an electronic database of laws, cases law, and related literature.